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MAHMUD AL MUTAZZIM,

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**MAHMUD AL MUTAZZIM'S NOTICE OF OMNIBUS PRETRIAL MOTION
REQUESTING RELIEF**

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MAHMUD AL MUTAZZIM,

NOTICE OF MOTION

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PLEASE TAKE NOTICE, MAHMUD AL MUTAZZIM'S

- 1 *United States v. Pitt*
- 2 *CRIME*
- 3 *CRIME*
- 4 *Miranda v. Arizona*
- 5 *FED CRIME*
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MAHMUD AL MUTAZZIM,

DECLARATION

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DECLARATION OF HASSEN IBN ABDELLAH

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MAHMUD AL MUTAZZIM,

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MEMORANDUM OF LAW IN SUPPORT OF PRETRIAL MOTION AS TO THE

REQUEST FOR SEVERANCE FOR DEFENDANT MAHMUD AL MUTAZZIM

PRELIMINARY STATEMENT

[REDACTED]

[REDACTED]

STATEMENT OF FACTS

[REDACTED] but in two separate counts from the other two co-conspirator defendants [REDACTED]

§ [REDACTED]

[REDACTED]

LEGAL STANDARD

FED. CRIM. P. 8(b)(2); *U.S. v. Ramos*, [REDACTED] *U.S. v. Santiago*, [REDACTED] *United States v. Gallo*, [REDACTED]

[REDACTED] *United States v. Gallo*, [REDACTED]

[REDACTED] deny him a fair trial. *United States v. An-Loy*, [REDACTED] *United States v. Burke*, [REDACTED] *see also Zafiro vs. United States*, [REDACTED] holding [REDACTED] compromise a specific trial right of one of the defendants. [REDACTED]

[REDACTED] *United States v. Rittweger*, [REDACTED] *see United States v. Muyet*, [REDACTED] *see also United States v. Haynes*, [REDACTED]

LEGAL ARGUMENT

I. SEVERANCE IS WARRANTED IN THIS CASE BECAUSE DEFENDANT AL MUTAZZIM WILL BE DEPRIVED OF A FAIR TRIAL IF TRIED JOINTLY.

[REDACTED]

- a. SEVERANCE IS WARRANTED BECAUSE DEFENDANT AL MUTAZZIM WILL BE DEPRIVED OF HIS CONSTITUTIONAL RIGHT TO CONFRONT DEFENDANT SHAH IF TRIED JOINTLY.

[REDACTED] More importantly, Defendant Al Mutazzim will be unable to question Defendant Shah as to his motives and possible biases in this case as these issues directly relate to the credibility of the Government's case against him and are necessary to insure that Al Mutazzim receives a constitutionally fair trial.

[REDACTED]

[REDACTED]

b. SEVERANCE IS WARRANTED BECAUSE SUBSTANTIAL PREJUDICIAL SPILLOVER IS LIKELY TO OCCUR AND PERMEATE THE TRIAL TO THE EXTENT THAT CURATIVE INSTRUCTIONS WOULD BE COMPLETELY INEFFECTIVE.

[REDACTED]

[REDACTED]

[REDACTED]

Ramos, [REDACTED] Ramos, [REDACTED] much [REDACTED] in light of the fact that he has been charged with a conspiracy. Ramos, [REDACTED] Id. see United States v. Salameh, [REDACTED] citing United States v. Cervone, [REDACTED]

Vega, [REDACTED] United States v. Vega, [REDACTED] Ramos, [REDACTED] Id. see United States v. Rosa, [REDACTED]

Ramos, Vega, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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MAHMUD AL MUTAZZIM,

PROOF OF SERVICE

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